



Senate

General Assembly

File No. 424

January Session, 2001

Substitute Senate Bill No. 1011

Senate, April 24, 2001

The Committee on Environment reported through SEN. WILLIAMS of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE ANIMAL POPULATION CONTROL PROGRAM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-380e of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 As used in sections 22-380e to 22-380m, inclusive, as amended by
4 this act:

5 (1) "Commissioner" means the Commissioner of Agriculture;

6 (2) "Program" means the animal population control program;

7 (3) "Account" means the animal population control account;

8 (4) "Participating veterinarian" means any veterinarian who has
9 been [approved as a participating veterinarian] certified to participate
10 in the program by the commissioner;

11 (5) "Pound" means any state or municipal facility where
12 impounded, quarantined or stray dogs and cats are kept or any
13 veterinary hospital or commercial kennel where such dogs or cats are
14 kept by order of a municipality; [and]

15 (6) "Eligible owner" means a person who has purchased or adopted
16 a dog or cat from a pound and who is a resident of this state;

17 (7) "Medically unfit" means (A) unsuitable for a surgical procedure
18 due to any medical condition that may place a dog or cat at life-
19 threatening risk if a surgical procedure is performed on such animal,
20 as determined by a participating veterinarian, or (B) unsuitable for
21 sterilization due to insufficiency in age, as determined by a
22 participating veterinarian, of a dog or cat under the age of six months;

23 (8) "Neuter" means the surgical procedure of castration on a male
24 dog or cat;

25 (9) "Spay" means the surgical procedure of ovariectomy on a
26 female dog or cat; and

27 (10) "Voucher" means a nontransferable document provided by the
28 commissioner and issued by a pound to an eligible owner authorizing
29 payment of a predetermined amount from the animal population
30 control account to a participating veterinarian.

31 Sec. 2. Section 22-380f of the general statutes is repealed and the
32 following is substituted in lieu thereof:

33 No pound shall sell or give away any unspayed or unneutered dog
34 or cat to any person unless such pound receives forty-five dollars [, of
35 which twenty dollars may be refunded pursuant to this section,] from
36 the person buying or adopting such dog or cat. [A nonrefundable
37 payment of twenty-five dollars shall be required for the purchase or
38 adoption of any unspayed or unneutered dog or cat by a bona fide
39 animal rescue or adoption organization or any representative of any

40 such organization.] Funds received pursuant to this section shall be
41 paid quarterly by the [pound] municipality into the animal population
42 control account established under section 22-380g, as amended by this
43 act. At the time of receipt of such payment, the pound shall provide a
44 [certificate] voucher, for the purpose of sterilization and vaccination
45 benefits, as provided in section 22-380i, as amended by this act, to the
46 person buying or adopting such dog or cat. Such [certificate] voucher
47 shall be on a form provided by the commissioner and signed by the
48 eligible owner. [If such certificate is returned to the commissioner
49 within thirty days of the adoption or purchase of the dog or cat and is
50 signed by a licensed veterinarian, stating that such dog or cat has been
51 spayed or neutered and specifying the date on which the operation
52 was performed or that such dog or cat is medically unfit for such
53 surgery, the commissioner shall refund twenty dollars to the person
54 who purchased or adopted the animal. If such certificate is not
55 returned to the commissioner because the person who purchased or
56 adopted the dog or cat failed to have such dog or cat spayed or
57 neutered, the payment shall be considered forfeited and shall be
58 retained in the animal population control account established pursuant
59 to section 22-380g. In the case of any dog or cat which is temporarily
60 unfit for surgery or a dog or cat under the age of six months, such
61 certificate shall specify a date by which such dog or cat may be fit for
62 such surgery and the person who purchased or adopted such dog or
63 cat shall have thirty days from that date to return the certificate for the
64 refund provided for in this section.] Such voucher shall become void
65 after sixty days from the date of adoption unless a participating
66 veterinarian certifies that the dog or cat is medically unfit for surgery.
67 Such certification shall be on a form provided by the commissioner
68 and specify a date by which such dog or cat may be fit for sterilization.
69 If the surgery is performed more than thirty days after such specified
70 date, the voucher shall become void. In the case of a dog or cat that has
71 been previously sterilized or is permanently medically unfit for
72 sterilization, as determined by a participating veterinarian, the

73 voucher shall be void and the eligible owner may apply to the
74 commissioner for a refund in the amount of forty-five dollars.

75 Sec. 3. Section 22-380g of the general statutes is repealed and the
76 following is substituted in lieu thereof:

77 (a) The Commissioner of Agriculture shall (1) establish an animal
78 population control program to provide for spaying and neutering
79 services to eligible owners of dogs and cats, [and] (2) establish an
80 account to be known as the "animal population control account" [. The
81 account] that may contain any moneys required by law to be deposited
82 in the account [. Any] and any balance remaining in said account at the
83 end of any fiscal year shall be carried forward in said account for the
84 fiscal year next succeeding, and (3) create a standard dog licensing
85 form and distribute said form to veterinarians who voluntarily agree
86 to make such forms available for the convenience of dog owners. The
87 commissioner may set aside up to forty thousand dollars for each fiscal
88 year for the purpose of providing assistance to charitable programs for
89 the sterilization and vaccination of feral cats.

90 (b) The commissioner may solicit and accept funds from any public
91 or private source of help to carry out the goals of the program,
92 including, but not limited to, the sterilization of feral cats as provided
93 in section 22-339d.

94 (c) Any revenue collected pursuant to the provisions of sections 22-
95 380f and 22-380l shall be deposited in the animal population control
96 account. All money in the account shall be used by the commissioner
97 exclusively for the implementation and promotion of the program and
98 for the costs associated with the administration of the program
99 provided not more than one hundred eighty thousand dollars may be
100 expended for administrative costs per year.

101 (d) The commissioner may suspend the program at any time that
102 the amount of money available in the account is less than [four] three

103 hundred thousand dollars. The commissioner may reinstate the
104 program when such amount exceeds [four] three hundred thousand
105 dollars.

106 Sec. 4. Section 22-380h of the general statutes is repealed and the
107 following is substituted in lieu thereof:

108 (a) Any veterinarian licensed pursuant to section 20-199 may file
109 with the commissioner, on forms [prescribed] provided by the
110 commissioner, an application to become a participating veterinarian in
111 the program. [and, in addition to providing any other information
112 requested by the commissioner, shall provide with such application,
113 an animal sterilization fee schedule which shall list the fees such
114 veterinarian charges for animal sterilizations in the normal course of
115 business.]

116 (b) In order to be certified by the commissioner as a participating
117 veterinarian, the veterinarian shall: (1) Perform all spay and neuter
118 surgical procedures in a veterinary hospital facility or mobile clinic
119 equipped for such procedures located in this state that meets the
120 standards set forth in regulations adopted by the commissioner, as
121 provided in section 20-196; (2) make all records pertaining to care
122 provided, work done and fees received for or in connection with the
123 program available for inspection by the commissioner or the
124 commissioner's representative; (3) maintain records in accordance with
125 regulations adopted under section 19a-14; and (4) hold a currently
126 valid license to practice veterinary medicine in this state issued by the
127 Connecticut Department of Public Health.

128 (c) Any licensed veterinarian of this state may be certified by the
129 commissioner as a participating veterinarian unless the commissioner
130 disqualifies such veterinarian. [Any such certification shall be for a
131 period of one year and may be renewed annually. The fee schedule
132 submitted pursuant to this section shall be valid for such period of
133 certification.] The commissioner may disqualify a veterinarian [if he

134 finds that the fee charged by such veterinarian for sterilization is
135 unreasonable or] if such veterinarian has been found in violation of
136 any provision of sections 22-380e to 22-380m, inclusive, as amended by
137 this act, or any laws relating to the practice of veterinary medicine.
138 Any veterinarian disqualified or otherwise denied participation in the
139 program may appeal, within ten days of receipt of a notice of such
140 disqualification or denial, to the commissioner who shall hold a
141 hearing to consider such appeal, in accordance with the provisions of
142 chapter 54. [The commissioner shall adopt regulations, in accordance
143 with the provisions of chapter 54, providing standards for approval of
144 participating veterinarians under this section.]

145 (d) Complaints received by the commissioner or the commissioner's
146 representative regarding services provided by participating
147 veterinarians shall be referred to the Board of Veterinary Medicine of
148 the Department of Public Health.

149 Sec. 5. Section 22-380i of the general statutes is repealed and the
150 following is substituted in lieu thereof:

151 (a) The program established under section 22-380g, as amended by
152 this act, shall provide for [a] payment to any participating veterinarian
153 [in] of an amount equivalent to [eighty per cent of the fee charged] the
154 voucher issued pursuant to section 22-380f, as amended by this act, for
155 each animal sterilization and vaccinations, coincident with
156 sterilization, performed by such veterinarian upon a dog or cat owned
157 by an eligible owner. [Such veterinarian shall be paid by the
158 commissioner upon the submission of an animal sterilization
159 certificate, on a form prescribed by the commissioner, signed by the
160 participating veterinarian and the owner of the dog or cat, for each
161 sterilization performed.] For a sterilization procedure, such voucher
162 shall be in the amount of one hundred twenty dollars for a female dog,
163 one hundred dollars for a male dog, seventy dollars for a female cat
164 and fifty dollars for a male cat. In the case of a sterilization fee

165 exceeding the amount of the voucher, the eligible owner shall pay the
166 participating veterinarian the difference between such fee and the
167 amount of the voucher. Such voucher shall be in the amount of twenty
168 dollars, in addition to the amount designated for sterilization, for
169 vaccinations coincident with the sterilization of a dog or cat owned by
170 an eligible owner.

171 (b) The program established under section 22-380g, as amended by
172 this act, shall further provide for a payment to any participating
173 veterinarian for the presurgical immunization of dogs against rabies,
174 distemper, hepatitis, leptospirosis and parvovirus, or the presurgical
175 immunization of cats against rabies, feline panleukopenia, calici,
176 pneumonitis and rhinotracheitis, as the case may be, on animals not
177 previously immunized. The payment shall be for no more than ten
178 dollars for each immunization procedure and, in any case, not more
179 than twenty dollars for one animal. Such veterinarian shall be paid by
180 the commissioner upon the submission of a [certificate] voucher, to be
181 provided by the commissioner and signed by the veterinarian
182 performing such operation and by the owner, stating that the animal
183 has been immunized coincident with a spaying or neutering operation
184 under the program.

185 (c) The participating veterinarian shall be paid by the commissioner
186 for sterilization and coincident vaccinations of a dog or cat owned by
187 an eligible owner upon submission of the voucher issued pursuant to
188 section 22-380f, as amended by this act, and signed by such
189 veterinarian.

190 Sec. 6. Section 22-380j of the general statutes is repealed and the
191 following is substituted in lieu thereof:

192 In the event that any person who submits any cat or dog for spaying
193 or neutering to a participating veterinarian fails to retrieve such cat or
194 dog within the time recommended by such participating veterinarian,
195 such veterinarian shall transfer custody of such dog or cat to a [canine]

196 state animal control officer, regional animal control officer or a
197 municipal animal control officer, as defined in section 22-327. No
198 participating veterinarian who has performed services provided for in
199 sections 22-380e to 22-380m, inclusive, as amended by this act, shall be
200 denied payment from the [fund] account due to any failure of an
201 owner of a dog or cat to retrieve such dog or cat.

ENV *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: See Explanation Below

Affected Agencies: Department of Agriculture

Municipal Impact: None

Explanation**State Impact:**

The bill replaces the current reimbursement system for the animal population control program with a voucher system and reduces the minimum funding level that triggers the program suspension from \$400,000 to \$300,000. This will increase efficiencies and cost to the animal population control program account. This is a non-appropriated account. The program has been suspended twice due to the minimum funding level. The Department of Agriculture (DOA) will no longer need to issue refunds which will stabilize the budget of the account, save administrative costs and allow the program to run longer. As of 3/21/01, the unencumbered balance in the account is \$434,665.57. Annual expenditures from the account were approximately \$700,000. Under the current program, DOA can use \$180,000 for administrative costs which does not change due to this legislation.

It is anticipated that creation of a new form for veterinarians (approximately 250 practices in the state) by DOA can be handled by

existing staff and resources of the agency. Total costs are anticipated to be \$1,500.

OLR Bill Analysis

sSB 1011

AN ACT CONCERNING THE ANIMAL POPULATION CONTROL PROGRAM.**SUMMARY**

This bill replaces the current reimbursement system for veterinarians who sterilize and vaccinate dogs and cats with a voucher system and makes conforming changes. It allows the program to operate longer by reducing the minimum funding level that triggers its suspension from \$400,000 to \$300,000. It requires the agriculture commissioner to develop a standard dog license form for veterinarians to distribute to dog owners, and it permits him to spend up to \$40,000 a year to help charitable organizations sterilize and vaccinate feral cats.

EFFECTIVE DATE: October 1, 2001

VOUCHER SYSTEM

The bill requires people who adopt a dog or cat from a state or town pound, veterinary clinic, or commercial kennel to pay \$45 for a voucher good for sterilization and vaccination benefits. Pet owners must sign the voucher, and municipalities must pay the fees they receive to the animal population control account each quarter.

Unless a veterinarian finds the dog or cat is medically unfit for surgery, the pet owner has 60 days from the date of adoption to have the animal sterilized. When a veterinarian submits a voucher with his signature, the commissioner must pay him \$120 to sterilize a female dog, \$100 for a male dog, \$70 for a female cat, and \$50 for a male cat. Pet owners must pay any sterilization costs that exceed the voucher amount. The commissioner must also pay veterinarians \$20 per voucher for vaccinations given at the same time.

Medically Unfit Animals

A dog or cat is considered medically unfit for surgery if a veterinarian certifies that surgery within the 60-day period may place its life in danger, or because the animal is under six months old. The veterinarian must specify when the animal may be ready for sterilization, and the voucher becomes void if surgery is not performed within 30 days of that date. The pet owner may apply for a refund of his \$45 fee if an adopted dog or cat was previously sterilized, or a veterinarian determines it is permanently unfit for the procedure.

VETERINARIAN CERTIFICATION

Any licensed veterinarian may apply for certification to participate in the program. To be certified, a veterinarian must:

1. perform all sterilization procedures either in a veterinary hospital facility or a properly-equipped mobile clinic that meets state standards;
2. make available to the commissioner all records relating to care provided, work done, and fees received;
3. maintain records in accordance with state regulations; and
4. hold a valid Department of Public Health (DPH) veterinary medicine license.

The bill eliminates a one-year limit on certification and a requirement that the commissioner adopt regulations for approving participating veterinarians. It provides that complaints about veterinarians' services provided under the program be referred to DPH's Board of Veterinary Medicine.

Animal Control Officer

The bill requires veterinarians to transfer custody of dogs or cats whose owners do not retrieve them to a state animal control officer, rather than to a canine control officer.

ANIMAL POPULATION CONTROL ACCOUNT

Account Balance

The bill permits the commissioner to suspend the program when the amount of money in the account drops below \$300,000. Under current law he may suspend the program when the account balance drops below \$400,000.

BACKGROUND***Animal population control program***

Under current law, people who adopt a pet from a pound pay a \$45 deposit, \$20 of which is refundable. If the animal is taken to a participating veterinarian in 30 days, the program pays the veterinarian 80% of the sterilization cost, and refunds the \$20. Certificates not used within 30 days are void. Current law also reimburses veterinarians \$10 per vaccination procedure, with a \$20 limit per animal.

The commissioner suspended the program on March 1, 2000 because of depleted funds. He announced then that it had dispensed benefits to more than 20,000 cats and dogs in the previous two years.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 28 Nay 0